
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Katharine S. Hayden
	:	
v.	:	Crim. No. 15-609 (KSH)
	:	
MARLON PEEK	:	PARTIAL UNSEALING ORDER
	:	

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Jason S. Gould, Assistant United States Attorney) and defendant Marlon Peek (by Alyssa A. Cimino, attorney for defendant), for an order partially unsealing the transcript of the arraignment held in this matter on December 16, 2015 and of a hearing held in this matter on January 5, 2016 ("Transcripts"), for the sole purpose of providing the Transcripts to the Metropolitan Correctional Center New York ("MCC NY"), the facility designated by the United States Bureau of the Prisons to conduct a second ordered competency examination and report of defendant, Marlon Peek (see Docket No. 44); and Dr. Samantha E. DiMisa of MCC NY having been assigned to conduct the competency examination of defendant Peek; and Federal Medical Center Devens ("FMC Devens"), having requested, received, and reviewed transcripts of the December 16, 2015 arraignment and the January 5, 2016 hearing and considered them in the first ordered competency evaluation and its subsequent report; the Court having determined that the interest of justice would be served by allowing MCC NY to have access to the same information that formed the

basis for FMC Devens's evaluation and report; and the Court having determined that the interest of justice would be served by allowing MCC NY in conducting defendant Peek's second competency examination to have access to all information that formed the basis for the Court's finding that such a competency examination was warranted; and for good cause shown,

IT IS on this 30th day of November 2016,

ORDERED that the transcript of the December 16, 2015 arraignment in this matter is hereby unsealed for the limited purpose of allowing the court reporter to provide a copy of the transcript to MCC NY for use only in carrying out the second competency examination and report previously ordered by the Court; and it is further

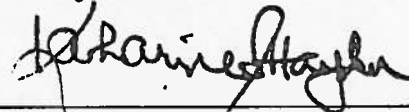
ORDERED that the transcript of the January 5, 2016 hearing in this matter is hereby unsealed for the limited purpose of allowing the court reporter to provide a copy of the transcript to MCC NY for use only in carrying out the second competency examination and report previously ordered by the Court; and it is further

ORDERED that the court reporter shall, as soon as practicable, provide (1) a copy of the December 16, 2015 transcript and (2) a copy of the transcript of the hearing at which Mr. Peek appeared on January 5, 2016 to:

Metropolitan Correctional Center
Attn: Samantha DiMisa, Ph.D.
150 Park Row
New York, NY 10007

and it is further

ORDERED that personnel at MCC NY shall use such transcripts only for the purpose of carrying out the second competency examination and report previously ordered by the Court and shall not further disseminate either transcript except to the extent necessary in order to complete the second competency evaluation and report previously ordered.

A handwritten signature in black ink, appearing to read "Katharine Hayden", written over a horizontal line.

HONORABLE KATHARINE S. HAYDEN
United States District Judge